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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR THE ELABORATION OF AN INTERNATIONAL
CONVENTION TO COMBAT DESERTIFICATION
IN THOSE COUNTRIES EXPERIENCING SERIOUS
DROUGHT AND/OR DESERTIFICATION, PARTICULARLY
IN AFRICA
Eighth session
Geneva, 5-16 February 1996
Agenda item 2

DRAFT RULES OF PROCEDURE OF THE CONFERENCE OF THE PARTIES

Note by the Secretariat

1. Attached is the negotiating text of the rules of procedure of the Conference of the Parties. Bracketed language and other changes to the text originally proposed by the Secretariat in document A/AC.241/38 reflect discussions in Working Group II at the seventh session.

2. A table of contents was added for ease of reference.

3. A draft recommendation to the Conference of the Parties and a draft decision of the Conference of the Parties, whereby the latter would adopt the rules of procedure, are also included.

GE.95-64748

RECOMMENDATION TO THE CONFERENCE OF THE PARTIES

Rules of procedure of the Conference of the Parties

The Intergovernmental Negotiating Committee,

Recalling its mandate to prepare for the first session of the Conference of the Parties pursuant to General Assembly resolution 49/234, of 23 December 1994,

Recommends that the Conference of the Parties, at its first session, adopt the following decision regarding the rules of procedure of the Conference of the Parties:

Rules of procedure of the Conference of the Parties

The Conference of the Parties,

Considering the provisions of the Convention, particularly article 22, paragraph 3, which stipulates that the Conference of the Parties shall adopt, at its first session, its own rules of procedure,

Having examined the recommendations of the Intergovernmental Negotiating Committee on the rules of procedure of the Conference of the Parties,

Decides to adopt the rules of procedure attached to the present decision.

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UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION IN COUNTRIES EXPERIENCING SERIOUS DROUGHT AND/OR DESERTIFICATION, PARTICULARLY IN AFRICA

DRAFT RULES OF PROCEDURE OF THE CONFERENCE OF THE PARTIES

I. INTRODUCTION

Scope

Rule 1

The present rules of procedure shall apply to any session of the Conference of the Parties to the Convention convened in accordance with article 22 of the Convention.

Definitions

Rule 2

For the purposes of the present rules:

(a) "Convention" means the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, adopted at Paris, on 17 June 1994, [and which entered into force on .....];

(b) "Parties" means Parties to the Convention;

(c) "Conference of the Parties" means the Conference of the Parties established by article 22 of the Convention;

(d) "Session" means any ordinary or extraordinary session of the Conference of the Parties convened in accordance with article 22 of the Convention;

(e) "Regional economic integration organization" means an organization defined in article 1, paragraph (j) of the Convention;

(f) "President" means the President of the Conference of the Parties elected in accordance with rule 22, paragraph 1;

(g) "Permanent Secretariat" means the Permanent Secretariat designated by the Conference of the Parties in accordance with article 23, paragraph 3 of the Convention;

(h) "Subsidiary body" means the Committee on Science and Technology established pursuant to article 24 of the Convention and any ad hoc panel established pursuant to that Article, as well as any body, including committees and working groups, established pursuant to article 22, paragraph 2 (c) of the Convention;

(i) "Parties present and voting" means Parties present at the meeting at which voting takes place and casting an affirmative or negative vote; Parties abstaining from voting shall be considered as not voting.

II. SESSIONS

Place of sessions

Rule 3

The sessions of the Conference of the Parties shall take place at the seat of the Permanent Secretariat, unless the Conference of the Parties decides otherwise or other appropriate arrangements are made by the Permanent Secretariat in consultation with the Parties.

Dates of sessions

Rule 4

1. [In accordance with the provisions of the Convention] Unless otherwise decided by the Conference of the Parties, the second, third and fourth ordinary sessions of the Conference of the Parties shall be held yearly, and thereafter, ordinary sessions shall be held every two years.

2. At each ordinary session, the Conference of the Parties shall decide on the date and duration of the next ordinary session. The Conference of the Parties should endeavour not to hold such sessions at a time which would make the attendance of a significant number of delegations difficult.

3. Extraordinary sessions of the Conference of the Parties shall be held at such times as may be decided either by the Conference of the Parties in ordinary session or at the written request of any Party, provided that, within three months of the request being communicated to the Parties by the Permanent Secretariat, it is supported by at least one third of the Parties.

4. In the case of an extraordinary session held at the written request of a Party, it shall be held not more than [ninety][fourty five] days after the date at which the request [is supported by at least one third of the Parties in accordance with paragraph 3][has been communicated to the Parties].

Notification of sessions

Rule 5

The Permanent Secretariat shall notify all Parties of the dates and venue of [a][an ordinary] session at least two months before the session is due to commence. [The date and venue of an extraordinary session shall be notified in the communication to the Parties by the Permanent Secretariat pursuant to rule 4, paragraph 3].

III. OBSERVERS

Participation of United Nations and specialized agencies

Rule 6

1. The United Nations, its specialized agencies, any State member thereof or observers thereto not Party to the Convention, as well as the organization housing the Global Mechanism pursuant to article 21, paragraph (5) of the Convention, may be represented at sessions of the Conference of the Parties as observers.

2. Such observers may, upon invitation of the President, participate without the right to vote in the proceedings of any session, unless at least [one third] of the Parties present at the session object.

Participation of other bodies or agencies

Rule 7

1. Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention and which has informed the Permanent Secretariat of its wish to be represented at a session of the Conference of the Parties as an observer may be so admitted unless at least one third of the Parties present at the session object.

2. Such observers may, upon invitation of the President, participate without the right to vote in the proceedings of any session in matters of direct concern to the body or agency they represent, unless at least one third of the Parties present at the session object.

Notification by Secretariat

Rule 8

The Permanent Secretariat shall notify those entitled to be observers pursuant to rules 6 and 7 of the date and venue of any session scheduled by the Conference of the Parties so that they may be represented by observers.

IV. AGENDA

Preparation of provisional agenda

Rule 9

In agreement with the [President][Bureau], the Permanent Secretariat shall prepare the provisional agenda of each session.

Items on provisional agenda

Rule 10

The provisional agenda for each ordinary session shall include, as appropriate:

(a) Items arising from the articles of the Convention, including those specified in its article 22;

(b) Items the inclusion of which has been decided at a previous session;

(c) Items referred to in rule 16 of the present rules of procedure;

(d) The proposed [programme and] budget [,including those of its subsidiary bodies,] as well as all questions pertaining to the accounts and financial arrangements;

(e) Any item proposed by a Party and received by the Permanent Secretariat before the provisional agenda is circulated.

Distribution of provisional agenda

Rule 11

For each ordinary session, the provisional agenda, together with supporting documents, shall be distributed in the official languages by the Permanent Secretariat to the Parties at least six weeks before the opening of the session.

Supplementary items

Rule 12

The Permanent Secretariat shall, in agreement with the [President][Bureau], include any item which is proposed by a Party and has been received by the Permanent Secretariat after the provisional agenda has been produced, but before the opening of the session, in a supplementary provisional agenda.

Addition, deletion, deferment or amendment of items

Rule 13

When adopting the agenda, the Conference of the Parties may decide to add, delete, defer or amend items. Only items which are considered by the Conference of the Parties to be urgent and important may be added to the agenda.

Provisional agenda of extraordinary session

Rule 14

The provisional agenda for an extraordinary session shall consist only of those items proposed for consideration in the request for the holding of the extraordinary session. It shall be distributed to the Parties at the same time as the invitation to [agree to the holding of] the extraordinary session.

Report on administrative and budgetary implications

Rule 15

The Permanent Secretariat shall report to the Conference of the Parties on the administrative and budgetary implications of all substantive agenda items submitted to the session [or proposals made during the session that may have such implications], before they are considered by it. Unless the Conference of the Parties decides otherwise, no such substantive agenda item [or proposal] shall be considered until at least forty-eight hours after the Conference of the Parties has received the report of the Permanent Secretariat on the administrative and budgetary implications.

Incomplete consideration of item

Rule 16

Any item of the agenda of an ordinary session, consideration of which has not been completed at the session, shall be included automatically in the agenda of the next ordinary session, unless otherwise decided by the Conference of the Parties [by consensus].

V. REPRESENTATION AND CREDENTIALS

Composition of delegation

Rule 17

Each Party participating in a session shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives and advisers as it may require.

Alternates and advisors

Rule 18

An alternate representative or an advisor may act as a representative upon designation by the head of delegation.

Submission of credentials

Rule 19

The credentials of representatives as well as the names of alternate representatives and advisers shall be submitted to the Permanent Secretariat if possible not later than twenty-four hours after the opening of the session. Any later change in the composition of the delegation shall also be submitted to the Permanent Secretariat. The credentials shall be issued either by the Head of State or Government or by the Minister of Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization.

Examination of credentials

Rule 20

The Bureau of any session shall examine the credentials and submit its report to the Conference of the Parties for decision.

Provisional participation

Rule 21

Representatives shall be entitled to participate provisionally in the session, pending a decision by the Conference of the Parties to accept their credentials.

VI. OFFICERS

Election of officers

Rule 22 1/

[1. At the commencement of the first meeting of each ordinary session, a President, [three][nine] Vice-Presidents and the Chairperson of the Committee on Science and Technology shall be elected from among the representatives of the Parties present at the session [in a manner that every geographical region shall be represented by at least two members]. They shall serve as the Bureau of the session. One of the Vice-Presidents shall act as Rapporteur. In appointing the Bureau, due regard shall be paid to the need to ensure equitable geographical distribution and adequate representation of affected country Parties, particularly those in Africa. The offices of President and Rapporteur shall normally be subject to rotation among the regional groups recognized by the practice of the United Nations.

1/ It has been proposed to divide this rule in 3 distinct rules as follows: (i) composition of the Bureau, (ii) election of members of the Bureau and (iii) functions of the Bureau

2. The officers referred to in paragraph 1 shall remain in office until their successors are elected at the next ordinary session and shall serve in that capacity at any intervening extraordinary sessions. No officer may serve on the Bureau for more than two consecutive terms.

3. The President shall participate in the session in that capacity and shall not at the same time exercise the rights of a representative of a Party. The Party concerned shall designate another representative who shall be entitled to represent the Party in the session and to exercise the right to vote.]

[Powers of the President][Functions of the Bureau]

Rule 23

1. In addition to exercising the powers conferred upon the President elsewhere by the present rules, the President shall declare the opening and closing of the session, preside at the meetings of the session, ensure the observance of the present rules, accord the right to speak, put questions to the vote and announce decisions. The President shall rule on points of order and, subject to the present rules, shall have complete control of the proceedings and over the maintenance of order thereat.

2. The President may propose to the Conference of the Parties the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

3. The President, in the exercise of the functions of that office, remains under the authority of the Conference of the Parties.

Acting President

Rule 24

1. The President, if temporarily absent from a meeting or any part thereof, shall designate a Vice-President to act as President. The President so designated shall not at the same time exercise the rights of a representative of a Party.

2. A Vice-President acting as President shall have the powers and duties of the President.

Replacement of an officer

Rule 25

If an officer of the Bureau resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, a representative of the same Party shall be named by the Party concerned to replace the said officer for the remainder of that officer's mandate.

Temporary President

Rule 26

At the first meeting of each ordinary session, the President of the previous ordinary session, or in the absence of the President, a Vice-President, shall preside until the Conference of the Parties has elected a President for the session.

VII. SUBSIDIARY BODIES

Application of rules to subsidiary bodies

Rule 27

Save as provided in rules 28 to 32, the present rules shall apply *mutatis mutandis* to the proceedings of any subsidiary bodies.

Establishment of subsidiary bodies

Rule 28

The Conference of the Parties may establish such subsidiary bodies as are deemed necessary for the implementation of the Convention.

Quorum for non open-ended subsidiary bodies

Rule 29

In the case of a subsidiary body that is not open-ended, a majority of the Parties designated by the Conference of the Parties to participate therein shall constitute a quorum.

Dates of meetings

Rule 30

The Committee on Science and Technology shall meet in conjunction with the ordinary sessions of the Conference of the Parties. Meetings of any other subsidiary bodies shall be held in conjunction with the sessions of the Conference of the Parties, unless the Conference of the Parties decides otherwise.

Election of officers

Rule 31 2/

[Unless the Conference of the Parties decides otherwise, the Chairperson of any subsidiary body shall be elected by the Conference of the Parties]. Each subsidiary body shall elect its own Vice-Chairpersons, one of which shall act as Rapporteur. The Chairperson and Vice-Chairpersons of such subsidiary bodies shall be elected with due regard to the need to ensure equitable geographical distribution and adequate representation of affected country Parties, particularly those in Africa, and shall not serve for more than two consecutive terms.]

Matters for consideration

Rule 32

Subject to article 24 of the Convention, the Conference of the Parties shall determine the matters to be considered by each subsidiary body and may authorize the President, upon the request of the Chairperson of a subsidiary body [or upon the request of a Party or a group of Parties], to adjust the allocation of work.

VIII. PERMANENT SECRETARIAT

Duties of head of Secretariat

Rule 33

1. The head of the Permanent Secretariat, or the representative of the head of the Permanent Secretariat, shall exercise the functions of that office in all sessions of the Conference of the Parties and of its subsidiary bodies.

2. The head of the Permanent Secretariat shall arrange for the provision of staff and services required by the Conference of the Parties and its subsidiary bodies, within available resources. The head of the Permanent Secretariat shall manage and direct such staff and services and provide appropriate support and advice to the presiding and other officers of the Conference of the Parties and of its subsidiary bodies.

Functions of Secretariat

Rule 34

In addition to the functions specified in [article 23 of] the Convention, the Permanent Secretariat shall in accordance with the present rules:

(a) Arrange for interpretation at the session;

2/ It has been proposed to divide this rule into three distinct rules as follows: (i) composition of the Bureau of subsidiary bodies, (ii) election of Bureau members and (iii) functions of the Bureau

(b) [Receive,] translate, reproduce and distribute the documents of the session;

(c) Publish and distribute the official documents of the session;

(d) Make, and arrange for keeping of, sound recordings of the session;

(e) Arrange for the custody and preservation of the documents of the session; and

(f) Perform all other work that the Conference of the Parties may require.

IX. CONDUCT OF BUSINESS

[Meetings held in public]

Rule 35

1. Meetings of the Conference of the Parties shall be held in public, unless the Conference of the Parties decides otherwise.

[2. Meetings of the subsidiary bodies shall be held in [private][public] unless the [Conference of the Parties][the subsidiary body concerned] decides otherwise.]

Quorum

Rule 36

The President shall not declare a meeting of the Conference of the Parties open or permit the debate to proceed unless at least one third of the Parties to the Convention are present. The presence of two thirds of the Parties to the Convention shall be required for any decision to be taken.

Procedures for speaking

Rule 37

1. No one may speak at a meeting of the Conference of the Parties without having previously obtained the permission of the President. Subject to rules 38, 39, 40 and 43, the President shall call upon speakers in the order in which they signify their desire to speak. The Permanent Secretariat shall maintain a list of speakers. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

2. The Conference of the Parties may, on a proposal from the President or from any Party, limit the time allowed to each speaker and the number of times each representative may speak on a question. Before a decision is taken, two representatives may speak in favour of and two against a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the President shall call the speaker to order without delay.

Precedence

Rule 38

The Chairperson or Rapporteur of a subsidiary body may be accorded precedence for the purpose of explaining the conclusions arrived at by that subsidiary body.

Points of order

Rule 39

During the discussion of any matter, a representative may at any time raise a point of order which shall be decided immediately by the President in accordance with the present rules. A representative may appeal against the ruling of the President. The appeal shall be put to the vote immediately and the ruling shall stand unless overruled by a majority of the Parties present and voting. A representative may not, in raising a point of order, speak [simultaneously] on the substance of the matter under discussion.

Decisions on competence

Rule 40

Any motion calling for a decision on the competence of the Conference of the Parties to discuss any matter or to adopt a proposal or an amendment to a proposal submitted to it shall be put to the vote before the matter is discussed or a vote taken on the proposal or amendment in question.

Proposals and amendments to proposals

Rule 41

Proposals and amendments to proposals shall normally be introduced in writing, in one of the official languages, by the Parties and handed to the Permanent Secretariat, which shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting unless copies of it have been circulated to delegations [in all official languages] not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of [proposals,] amendments to proposals or of procedural motions even though these [proposals,] amendments or motions have not been circulated or have been circulated only the same day.

Communication of proposed amendment to Convention

Rule 42

The text of any proposed amendment or additional annex to the Convention and of any proposed amendment to an annex, shall be communicated to the Parties by the Permanent Secretariat at least six months before the session at which it is proposed for [review and] adoption.

Order of procedural motions

Rule 43

1. Subject to rule 39, the following motions shall have precedence in the order indicated below over all other proposals or motions:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

2. Permission to speak on a motion falling within paragraph 1 (a) to (d) shall be granted only to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Withdrawal of proposals or motions

Rule 44

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the proposal or motion has not been amended. A proposal or motion thus withdrawn may be reintroduced by any other Party.

Reconsideration of proposals

Rule 45

When a proposal has been adopted or rejected, it may not be reconsidered at the same session, unless the Conference of the Parties, by a two-thirds majority of the Parties present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to the mover, to one speaker in favour of, and two against, the proposal, after which it shall be put immediately to the vote.

X. VOTING

Voting rights

Rule 46

1. Each Party shall have one vote, except as provided for in paragraph 2.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States that are Parties to the Convention. Such an organization shall not exercise its right to vote if any of its member States exercises its right[, and vice versa].

Majority required

Rule 47

[1. The Parties shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall, as a last resort, be taken by a two-thirds majority vote of the Parties present and voting, [except for decisions taken under article 21 [and article 22 paragraph 2 (g)] of the Convention which shall be agreed upon by consensus, or]3/ unless otherwise provided by

(a) the Convention,

(b) the financial rules referred to in article 22, paragraph 2 (e) of the Convention, or

(c) the present rules of procedure.

2. Decisions of the Conference of the Parties on matters of procedure shall be taken by a majority vote of the Parties present and voting.

3. If the question arises as to whether a matter is one of a procedural or substantive nature, the President shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a [two-thirds] majority of the Parties present and voting.

4. If, on matters other than elections, a vote is equally divided, a second vote shall be taken. If this vote is also equally divided, the proposal shall be [regarded as] [rejected] [accepted].]

Order of voting on proposals

Rule 48 4/

If two or more proposals relate to the same question, the Conference of the Parties, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted. The Conference of the Parties may, after each vote on a proposal, decide whether to vote on the next proposal.

3/ It has also been suggested that any requirement for consensus on financial matters would be better addressed in the financial rules. Such a requirement would be covered by rule 47, paragraph 1 (b) of the rules of procedure.

4/ Previous rule 48 on the meaning of "Parties present and voting" is now paragraph (i) of rule 2 (definitions). The following rules have been renumbered accordingly.

Division of proposals and amendments

Rule 49

1. Any representative may request that any part of a proposal or of an amendment to a proposal be voted on separately. The President shall allow the request unless a Party objects. If an objection is made to the request for division, the President shall permit two representatives to speak, one in favour of and the other against the request, after which it shall be put immediately to the vote. [The time allowed to each speaker shall not exceed five minutes.]

2. If the request referred to in paragraph 1 is allowed or adopted, those parts of a proposal or of an amendment to a proposal which are approved shall then be put to the vote as a whole. If all the operative parts of a proposal or amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

Amendment to a proposal

Rule 50

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from, or revises parts of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Order of voting on amendments to a proposal

Rule 51

If two or more amendments are moved to a proposal, the Conference of the Parties shall first vote on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed therefrom, and so on, until all amendments have been put to the vote. The President shall determine the order of voting on the amendments under this rule.

Method of voting

Rule 52

1. [With the exception of elections of the Bureau of subsidiary bodies, voting shall be restricted to plenary meetings of the Conference of the Parties]. Voting, except for elections, shall normally be by show of hands. A roll-call vote shall be taken if one is requested by any Party. It shall be taken in the [English] alphabetical order of the names of the Parties [in the language of the host country] participating in the session, beginning with the Party whose name is drawn by lot by the President. [However, if at any time a Party requests a secret ballot, that shall be the method of voting on the issue in question.]

2. When the Conference of the Parties votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call.

3. The vote of each Party participating in a roll-call or recorded vote shall be included in the relevant documents of the session.

Conduct during voting

Rule 53

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. The President may permit the Parties to explain their votes, either before or after the voting. The President may limit the time to be allowed for such explanations. The President shall not permit the proposer of a proposal or of an amendment to a proposal to explain his vote on his own proposal or amendment, except if it has been amended.

XI. ELECTIONS

Method of voting for elections

Rule 54

All elections shall be held by secret ballot, unless otherwise decided by the Conference of the Parties.

Absence of majority

Rule 55

1. If, when one person or one delegation is to be elected, no candidate obtains in the first ballot a majority of the votes cast by the Parties present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, [a third ballot is taken. If in the third ballot the votes are still equally divided,] [the President shall decide between the candidates by drawing lots][the candidate who is a national of the Party that first ratified the Convention is deemed elected].

2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set forth in paragraph 1.

Election to two or more elective places

Rule 56

1. When two or more elective places are to be filled at one time under the same conditions, those candidates, not exceeding the number of such places, obtaining in the first ballot the largest number of votes and a majority of the votes cast by the Parties present and voting shall be deemed elected.

2. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled, provided that, after the third inconclusive ballot, votes may be cast for any eligible person or delegation.

3. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter shall be unrestricted, and so on until all the places have been filled.

XII. LANGUAGES AND SOUND RECORDS

Official languages

Rule 57

The official languages of the Conference of the Parties shall be [Arabic, Chinese, English, French, Russian and Spanish].

Interpretation

Rule 58

1. Statements made in an official language shall be interpreted into the other official languages.

2. A representative of a Party may speak in a language other than an official language if the Party provides for interpretation into one such official language.

Languages of official documents

Rule 59

Official documents of the sessions shall be drawn up in one of the official languages and translated into the other official languages. [In case of difference between the texts, the original text shall prevail.]

Sound records of sessions

Rule 60

Sound records of the sessions of the Conference of the Parties, and whenever possible of the subsidiary bodies, shall be kept by the Permanent Secretariat, consistent with the practice of the United Nations.

XIII. AMENDMENTS TO RULES OF PROCEDURE AND STATUS

Amendments

Rule 61

The present rules of procedure may be amended [by consensus] by the Conference of the Parties.

Italicized headings

Rule 62

The italicized headings of the present rules are for reference purposes only. They shall be disregarded in the interpretation of the rules.

Precedence of Convention

Rule 63

In the event of any conflict between the present rules and the provisions of the Convention, the latter shall prevail.

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Eighth session
Geneva, 5-16 February 1996
Agenda item 2

PROCEDURES FOR COMMUNICATION OF INFORMATION AND REVIEW OF IMPLEMENTATION

1. The present document was prepared in accordance with INCD decision 7/8, which requested the Secretariat to prepare, for the eighth session, a draft decision of the Conference of the Parties on communication of information and review of implementation based on document A/AC.241/39, on comments and suggestions in Working Group II and on contributions received in writing.

2. The document comprises (a) a draft recommendation of the INCD to the Conference of the Parties, (b) a draft decision of the Conference of the Parties, and (c) draft procedures on communication of information and review of implementation in the form of an annex to the decision.

3. Since no written contributions were received after the seventh session, the document is based entirely on document A/AC.241/39 and on comments and suggestions at the seventh session. INCD members will note that paragraphs 3 to 7 reproduce to a large extent the provisions of article 26 of the Convention. This approach was chosen to ensure greater comprehensiveness and clarity of the procedures.

GE.95-64596

Procedures for communication of information and review of implementation

The Intergovernmental Negotiating Committee,

Recalling its mandate to prepare for the first session of the Conference of the Parties pursuant to General Assembly resolution 49/234, of 23 December 1994,

Recommends that the Conference of the Parties, at its first session, adopt the following decision:

Procedures for communication of information and review of implementation

The Conference of the Parties,

Recalling article 26 of the Convention, which provides that each Party shall communicate to the Conference of the Parties at its ordinary sessions, through the Permanent Secretariat, reports on measures which it has taken for the implementation of the Convention and that the Conference of the Parties shall determine the timetable for submission and the format of such reports,

Recalling also article 22, paragraph 2 (a) of the Convention, which provides that the Conference of the Parties shall regularly review the implementation of the Convention and the functioning of its institutional arrangements in the light of the experience gained at the national, subregional, regional and international levels and on the basis of the evolution of scientific and technological knowledge,

Recalling further article 22, paragraph 2 (b) of the Convention, which provides that the Conference of the Parties shall promote and facilitate the exchange of information on measures adopted by the Parties, and determine the form and timetable for transmitting the information to be submitted pursuant to article 26, review the reports and make recommendations on them,

Conscious of the desirability of adopting procedures to organize and streamline the communication of information,

Having reviewed the recommendations of the Intergovernmental Negotiating Committee on this issue,

Decides to adopt the procedures attached to the present decision.

PROCEDURES FOR THE COMMUNICATION OF INFORMATION AND REVIEW OF IMPLEMENTATION

Introduction

1. The purpose of the present procedures is to organize and streamline the communication of information pursuant to article 26 of the Convention in order to facilitate the regular review of implementation by the Conference of the Parties, in accordance with article 22, paragraph 2 (a) of the Convention, and to promote and facilitate the exchange of information on measures adopted by the Parties pursuant to article 22, paragraph 2 (b) of the Convention.

2. Specific objectives of the procedures include the following:

(a) to ensure the effective assessment of progress toward achieving the objectives of the Convention and to enable the Conference of the Parties to make appropriate recommendations to further those objectives;

(b) to exchange information and data among Parties in order to maximize the benefits of successful measures and initiatives under the Convention;

(c) to ensure that the Committee on Science and Technology and the Global Mechanism have access to information and data necessary to carry out their mandate; and

(d) to ensure that information on implementation is in the public domain and available to the international community, particularly intergovernmental and non-governmental organizations, and other interested entities.

General obligation to report

3. Each Party shall communicate to the Conference of the Parties for consideration at its ordinary sessions, through the Permanent Secretariat, reports on the measures which it has taken for the implementation of the Convention.

4. Affected country Parties shall provide a description of the strategies established pursuant to article 5 of the Convention and of any relevant information on their implementation.

5. Affected country Parties which implement action programmes pursuant to articles 9 to 15 of the Convention shall provide a detailed description of the programmes and their implementation.

6. In addition to reports on action programmes pursuant to paragraph 5, any group of affected country Parties may make a joint communication, directly or through a competent subregional or regional organization, on measures taken at the subregional and/or regional levels in implementation of the Convention.

7. Developed country Parties shall report on measures taken to assist in the preparation and implementation of action programmes, including information on the financial resources they have provided, or are providing, under the Convention.

8. Parties are encouraged to make full use of the expertise of competent intergovernmental and non-governmental organizations in the preparation of reports and in the dissemination of relevant information.

9. Relevant organs, funds and programmes of the United Nations, as well as other intergovernmental and non-governmental organizations, are encouraged to provide information, as appropriate, on their activities in support of the preparation and implementation of action programmes under the Convention.

Format and content of reports

10. Reports should be as concise as possible to facilitate their review. They should be structured as follows, taking into account the degree of development of action programmes and other relevant circumstances:

(a) reports on national action programmes

(i) a table of contents

(ii) a summary not exceeding six pages

(iii) the strategies and priorities established within the framework of sustainable development plans and/or policies

(iv) the institutional measures taken to implement the Convention

(v) the participatory process in support of the preparation and implementation of the action programme

(vi) the consultative process in support of the preparation and implementation of the national action programme and the partnership agreement with developed country Parties and other interested entities

(vii) the measures taken or planned in the framework of the national action programmes, including measures to improve the economic environment, measures to conserve natural resources, measures to improve institutional organization, measures to improve knowledge of desertification and measures to monitor and assess the effects of drought

(viii) financial allocations from national budgets in support of implementation as well as financial assistance and technical cooperation received and needed, identifying and prioritizing requirements;

(ix) a review of the benchmarks and indicators utilized to measure progress and an assessment thereof;

(b) reports on joint, subregional and regional action programmes

(i) a table of contents

(ii) a summary not exceeding six pages

(iii) the areas of cooperation under the programme and measures taken or planned

(iv) the consultative process in support of the preparation and implementation of the subregional or regional action programmes and the partnership agreement with developed country Parties and other interested entities

(v) financial allocations by affected country Parties of the subregion or region in support of implementation as well as financial assistance and technical cooperation received and needed, identifying and prioritizing requirements

(vi) a review of the benchmarks and indicators utilized to measure progress and an assessment thereof

(c) reports of developed country Parties

(i) a table of contents

(ii) a summary not exceeding six pages

(iii) the consultative processes and partnership agreements in which they are involved

(iv) measures taken to support the preparation and implementation of action programmes at all levels, including information on the financial resources they have provided, or are providing, both bilaterally and multilaterally

(d) reports of affected developed country Parties not preparing action programmes

(i) a table of contents

(ii) a summary not exceeding six pages

(iii) the strategies and priorities, within the framework of sustainable development plans and/or policies, to combat desertification and mitigate the effects of drought and any relevant information on their implementation

11. Information provided by relevant organs, funds and programmes of the United Nations, as well as other intergovernmental and non-governmental organizations, should include summaries not exceeding four pages.

Language of reports

12. Reports shall be communicated to the Interim Secretariat in one of the official languages of the Conference of the Parties.

Timetable for the submission of reports

13. The Conference of the Parties shall initiate, at its third session, review of the reports submitted by the Parties, alternating between affected African country Parties and affected country Parties of other regions. At its third session, the Conference of the Parties shall examine the reports of affected African country Parties. At its fourth session, the Conference of the Parties shall examine the reports of affected country Parties of other regions. Such rotation shall apply to subsequent sessions.

14. Developed country Parties shall report, at each session, on measures taken to assist action programmes of those affected developing country Parties reporting for the session. Relevant organs, funds and programmes of the United Nations, as well as other intergovernmental and non-governmental organizations are invited to do likewise.

15. Reports shall be submitted to the Permanent Secretariat at least six months prior to the session at which they are to be reviewed.

Compilation and synthesis by the Permanent Secretariat

16. The Secretariat shall compile the summaries of reports submitted pursuant to paragraphs 3 to 7, and of information provided by relevant organs, funds and programmes of the United Nations, as well as other intergovernmental and non-governmental organizations, on measures taken or planned in support of implementation of the Convention.

17. The Secretariat shall prepare, in addition, a synthesis of the reports setting out the trends apparent in the implementation of the Convention.

Review process

18. Reports by Parties, together with advice and information provided by the Committee on Science and Technology and the Global Mechanism consistent with their respective mandates, shall constitute the basis of the review of implementation by the Conference of the Parties.

Periodic reports

19. After the third session and following every subsequent session of the Conference of the Parties, the Permanent Secretariat shall prepare a report summarizing the major conclusions of the review process.

Official documents

20. Documents prepared by the Permanent Secretariat in accordance with paragraphs 15 to 17 shall constitute official documents of the Conference of the Parties.[1]

Availibility of reports

21. All reports communicated to the Secretariat in accordance with the present procedures, as well as institutional information pursuant to paragraph 22, shall be in the public domain. The Secretariat shall make available copies of the reports to any interested Parties and other entities or individuals through the most efficient and least expensive channels of communication, including computer networks and electronic media.

Communication of institutional information to the Secretariat

22. To facilitate exchanges of information and informal contacts within and outside the review process, Parties shall communicate to the Secretariat, as soon as practicable, information concerning the names, addresses and phone numbers of national, subregional, and regional focal points and ccordinating bodies, the membership of national coordinating committees and lists of participants in consultative processes.

23. The Permanent Secretariat shall keep in data bases and/or directories, and regularly update, information provided in accordance with the present procedures.

Assistance to developing country Parties in the preparation of reports

24. The Permanent Secretariat shall, on request and within the limits of its resources, assist affected developing country Parties, particularly affected African country Parties among them, in the preparation of reports pursuant to the present procedures, or seek such assistance from bilateral donors and/or competent intergovernmental organizations.

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[1] It is recalled that, in accordance with rules 60 and 61 of the draft rules of procedure of the Conference of the Parties, official documents are to be made available in all official languages of the Conference of the Parties and, to the extent possible, at least six weeks prior to each session.